

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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BELVEDERE EQUITY FUND LLC, :
BELAIR CAPITAL FUND LLC, :
BELCREST CAPITAL FUND LLC, : Civil Action
BELVEDERE CAPITAL FUND : No. 13-10795-MLW
COMPANY LLC, EATON VANCE :
MANAGEMENT, EATON VANCE :
CORP., EATON VANCE :
DISTRIBUTORS, INC. and BOSTON :
MANAGEMENT AND RESEARCH, :

Plaintiffs, :

v. :

JAMES J. BURKE, JR., :

Defendant. :
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NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs
Belvedere Equity Fund LLC, Belair Capital Fund LLC, Belcrest Capital Fund LLC, Belvedere
Capital Fund Company LLC, Eaton Vance Management, Eaton Vance Corp., Eaton Vance
Distributors, Inc. and Boston Management and Research hereby dismiss this action and all
claims herein with prejudice and without costs.

Dated: May 17, 2013
Boston, Massachusetts

Respectfully submitted,

/s/ James R. Carroll

James R. Carroll (BBO #554426)
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LLC, Belair Capital Fund LLC, Belcrest
Capital Fund LLC, Belvedere Capital Fund
Company LLC, Eaton Vance Management,
Eaton Vance Corp., Eaton Vance
Distributors, Inc. and Boston Management
and Research

CERTIFICATE OF SERVICE

I, James R. Carroll, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on May 17, 2013.

Dated: May 17, 2013

/s/ James R. Carroll

James R. Carroll